

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

For the reasons stated in the attached Memorandum Opinion, Defendant's Motion to Dismiss Plaintiff's Complaint is **GRANTED** and the case is **DISMISSED** with prejudice.

The Clerk is directed to send a certified copy of this Order and the attached Memorandum Opinion to all counsel of record.

ENTERED this 28th day of February, 2006.

s/Jackson L. Kiser
Senior United States District Judge